

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
Miami Division**

WALESWKA PEREZ *et al.*,

Plaintiffs,

v.

Case No.: 1:24cv23719 (JEM)

NICOLAS MADURO MOROS *et al.*,

Defendants.

**MOTION FOR AN ORDER DIRECTING SERVICE
ON CARTEL DE LOS SOLES BY THE U.S. MARSHAL'S SERVICE**

Plaintiffs Waleswka Perez (as the personal representative of the Estate of Rafael Acosta Arevalo), Luis Lugo Calderon, Luis Humberto De La Sota, and Eduardo José Figuero Marchena (collectively, “Plaintiffs”), move pursuant to Federal Rule of Civil Procedure 4(c)(3) for entry of an order directing the U.S. Marshal’s Service to serve a Summons and Complaint on Defendant Cartel de los Soles (“COS”) through Cliver Antonio Alcala Cordones, BOP Register Number 87971-054. (“Alcala”)

A grand jury in the Southern District of New York charged Alcala with two counts of a narco-terrorism conspiracy. *See United States v. Cliver Antonio Alcala Cordones*, Case No. 1:11cr-205, ECF No. 11 (S.D.N.Y. Mar. 5, 2020). Within that superseding indictment, Alcala was identified as one of the “leaders and managers of the *Cártel de Los Soles* and the narco-terrorism conspiracy with the FARC.” *Id.* ¶ 6. Alcala pleaded guilty on June 29, 2023. *United States v. Cliver Antonio Alcala Cordones*, Case No. 1:11cr205, ECF No. 117 at 11–12 (S.D.N.Y. Jul. 5, 2023). The Court sentenced him to a term of 260 months in federal prison. *See United States v. Cliver Antonio Alcala Cordones*, Case No. 1:11cr205, ECF No. 176 (S.D.N.Y. Apr. 11, 2024).

At the time Plaintiffs prepared the Proposed Summons in this matter, *see* ECF No. 3, the Federal Bureau of Prisons Inmate Locator website indicated that Alcala was incarcerated at the

facility identified as MDC Brooklyn. As of the filing of this Motion, that same website lists Alcala's location as FCI Cumberland, 14601 Burbidge Road SE, Cumberland, MD 21502. In light of this change, Plaintiffs respectfully request that the Court direct the Clerk to issue the revised Proposed Summons attached as Exhibit A.

Regardless, the U.S. Marshal's Service knows Alcala's location and can serve him because he is in custody and will continue to be in custody the foreseeable future. Plaintiffs therefore request an order directing the U.S. Marshal's Service to serve Alcala with a Summons and Complaint in his capacity as a leader and manager of COS. This same process has been used to serve COS without issue in this District three times before. *Holt v. Maduro Moros*, Case No. 1:24cv20701, ECF No. 16 (S.D. Fla. May 6, 2024); *Marron v. Maduro Moros*, Case No. 1:21cv23190, ECF No. 12 (S.D. Fla. Sept. 13, 2021); *Osio v. Maduro Moros*, Case No. 1:21cv20706, ECF No. 23 (S.D. Fla. Apr. 5, 2021).

For the convenience of the U.S. Marshal's Service, Plaintiffs respectfully request entry of a written order (rather than a paperless or "minute" order). Attached as Exhibit B is a proposed order directing the U.S. Marshal's Service to serve Alcala on behalf of COS.

WHEREFORE, Plaintiffs request that this Court 1) grant this motion, 2) issue the revised proposed summons (Exhibit A), and 3) enter the proposed order (Exhibit B) directing the U.S. Marshal's Service to serve Alcala on behalf of COS.

Respectfully submitted,

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